

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900

SEP 18 2001

RECEIVED

Re: application of: Odidi et al

Serial No.: 09/166,701

Filing Date: 10/05/98

For: *Controlled Release Pharmaceutical Delivery  
Device and Process For Preparation Thereof*

Group Art Unit: 1617

Examiner: Webman, E.

Attorney Docket No.: SMI-005.01

Assistant Commissioner for Patents  
Washington, D.C. 20231

**Certificate of First Class Mailing**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date set forth below.

September 10, 2001

Date of Signature and Mail Deposit

By: *Robert P. Ring*

**NOTICE OF APPEAL TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Appeals and Interferences from the decision dated April 10, 2001 finally rejecting Claims 1 - 12 and 23-33.

The item(s) checked below are appropriate:

1. [XX] A check for \$155.00 to cover the Appeal fee [X] is enclosed or [ ] is to be charged to Deposit Account No. 06-1448.
2. [XX] A Petition for Extension of Time to further extend the period for response is enclosed.
3. [XX] A check for \$ 195.00 to cover the extension fee is enclosed.

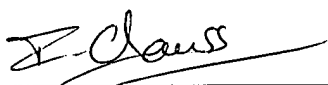
The Commissioner is hereby authorized to charge any deficient fees or credit any overpayment to our Deposit Account No. 06-1448.

09/14/2001 SDENBOB1 00000023 09166701

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155.00 OP

Respectfully submitted,

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Dated: September 10, 2001